

NOT FOR PUBLICATION

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Darrick Dee Jones,

Petitioner,

No. CV-23-00513-PHX-SRB(JFM)

ORDER

V.

Ryan Thornell, et al.

Respondents.

Petitioner filed his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 on March 27, 2023, raising “four grounds for relief, each consisting of a variety of subclaims, all addressing events at trial.” (Doc. 16, Report and Recommendation (“R&R”) at 2.) Respondents filed their Limited Answer to Petitioner’s Petition for Writ of Habeas Corpus on June 19, 2023. Petitioner filed his Amended Reply on July 28, 2023. On August 22, 2023, the Magistrate Judge issued his Report and Recommendation recommending that the petition be denied and dismissed with prejudice.

In his Report and Recommendation the Magistrate Judge advised the parties that they had fourteen days from the date of service of a copy of the Report and Recommendation within which to file specific written objections with the Court. The time to file such objections has expired and no objections to the Report and Recommendation have been filed.

The Court finds itself in agreement with the Report and Recommendation of the Magistrate Judge.

IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge as the order of this Court. (Doc. 16)

IT IS FURTHER ORDERED denying the Petition for Writ of Habeas Corpus and
dismissing it with prejudice. (Doc. 1)

3 **IT IS FURTHER ORDERED** denying any Certificate of Appealability and leave
4 to proceed in forma pauperis on appeal because jurists of reason would not find it debatable
5 whether the district court was correct in its procedural ruling.

6 IT IS FURTHER ORDERED directing the Clerk to enter judgment accordingly.

8 Dated this 19th day of September, 2023.

Susan R. Bolton
Susan R. Bolton
United States District Judge